



MANDAN, HIDATSA, & ARIKARA NATION
Three Affiliated Tribes, Fort Berthold Indian Reservation
404 Frontage Road, New Town, North Dakota 58763-9402

NATURAL RESOURCES COMMITTEE
MEETING No. 08-03
August 26, 2003

01. CALL TO ORDER:

Chairman Phelan called the meeting or order at 1:25 p.m.

02. ROLL CALL:

Members present: Committee Chairman Phelan, Councilman Wells,
Councilman Gillette, all three establish a quorum.
Councilman Wolf arrived at 3:45 p.m.

03. APPROVAL OF MINUTES:

- a. Councilman Wells moved to approve the May 29, 2003 Natural Resources Committee minutes. Councilman Gillette seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

- b. Councilman Gillette moved to approve the June 18, 2003 Natural Resources Committee meeting minutes with corrections. Councilman Wells seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

- c. Councilman Gillette moved to approve the July 1, 2003 Natural Resources minutes with correction. Councilman Wells seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

04. APPROVAL OF AGENDA:

Councilman Wells moved to approve the agenda as amended. Councilman Gillette seconded the motion.

DISCUSSION: The amendments included:

- Road approach for Hans Young Bird
- Buffalo Project
- Extension of appointment for Lori Little Swallow
- Ted Lone Fight III
- Eleanor Sorenson: Gift Deed/Rural Water
- Other Business

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

05. COLLEEN STONE/DELMAR WILSON DRAIN FIELD REQUEST

Councilman Gillette moved to defer the Wilson request because no paperwork was submitted. Councilman amended his motion, "to approve pending submission of proper documents." Councilman Wells seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

06. TWIN BUTTES CUSTOM HOMES

Councilman Wells moved to approve the Modification of the Dennis Deutch Contract. Councilman Gillette second the motion.

VOTE: 2 Ayes, 1 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

07. TEK INDUSTRIES REIMBURSEMENT

Councilman Gillette moved to defer the TEK Industries gravel reimbursement request and the request of gravel approved for the Four Bears Bridge Site be placed on the next council agenda at the next council meeting. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

08. FORT BERTHOLD DEVELOPMENT/CLAY FOR STABILIZATION PROJECT

Councilman Gillette moved to charge 15 cents a ton for clay. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

09. LAND EXCHANGE/LANDSALE/HOMESITES-(Ed Fox)

Land Exchange:

A-Anita Deane:

Councilman Packineau moved to approve Anita Deane's request to exchange 80 acres of land located in the Blue Buttes are from 320 Allot. 1774 E 28-151-94, RU95 in exchange for Tribal Allot. T359A: W/NE, SW/NE< w/SW/NE/NE, W/W/SE/SE, E/SW SE/NE 33-150-90. Councilman Gillette seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

B-Tony Mandan

Councilman Gillette moved to approve the request from Adam Tony Mandan to trade land of five acres for home site, Allot T551A-A, EN/EN/W/NW 33-152-94, which is the location of his house. Councilman Packineau seconded the motion.

Discussion: Councilman Gillette directed the Natural Resource Staff to respond by letter to tribal applicants regarding all transactions, requests of approval, and if disapproved and to state the reason why.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Land Sale:

A. Charlie Grinnell:

Councilman Gillette moved to purchase 50 acres from Charles Grinnell in Allot 857A described as W 22-149-92 RU26 containing 320 acres; of which landowner's interest is 50 acres, contingent on receiving an appraisal from the Bureau for actual value per acre. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

B. Gainus Little Soldier:

Councilman Gillette moved to purchase 100 acres in Allot 2265: from Gainus Little Soldier, described as being W/NW/SE/SW/SE 19-147-89, SW/SW 20-147-89 in RU17 in Twin Buttes, contingent upon receiving an appraised value per acre from the Bureau of Indian Affairs. Councilman Packineau seconded the motion. Councilman Gillette amended his motion to "to base the price upon the last appraisal at the negotiated purchase price." Councilman Packineau concurred with the amended motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting, Motion carried.

C. Calvin Drags Wolf:

Councilman Gillette moved to approve the purchase one-half share of Calvin Drags Wolf land Allot 1857 described as NW 33-151-94, RU96, 153, RU99-7, containing 160 acres; of which the landowner's interest is 80 acres. An actual value of \$7,590.00 @ \$95 per acre. Councilman Packineau seconded the motion.

Discussion: Calvin was requesting for \$15,000 instead of the actual value the appraisal BIA informed him that it was appraised at \$200/acre. Councilman Packineau withdraw his seconded. A phone call was made to BIA Reality to Bonnie Good Bird on the correct actual value per acre is \$95/acre this is range unit. Calvin decided to hold off on his land sale. The Committee Chairman directed to do a letter of intent.

Calvin owns a gravel pit with approximately 60,000 tons available that he wants to lease to the tribe. The tribe can lease the surface and could utilize the gravel and pay Calvin for it. In discussion the gravel pit and its options the purchase of Allotment# 1857 was deferred.

Councilman Gillette moved to direct Kyle Baker to review the status of the mineral ownership on this tract and if adequate gravel in the pit, to enter into a lease contract with Calvin Drags Wolf. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

Home sites:

A. Shawn Charging:

Councilman Gillette moved to approve the purchase of Allotment No. 1372, from Shawn Charging, described as: WNW 14-148-90 of 80 acres of pastureland, contingent upon receiving an appraisal from the Bureau of Indian Affairs for actual value. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

- B. Susan Crows Breast**-is requesting to lease City Lot 9 Block 27, which is already leased to Women with Children Center. Councilman Gillette directed Annette Young Bird to inform Susan Crows Breast by letter, the status of this lot. Chairman Phelan requested to table this until Susan Crows Breast has picked out an alternative lot.

Discussion: Councilman Gillette directed the Natural Resources staff to research the lots and leases and to make sure that its not given out to anyone before it is presented to the committee.

- C. Jill Gillette**-Councilman Packineau moved to approve the lease of the old home site of Allot. 84A. Description: SE/SE/SE/SE Sec. 12 TWP. 148, Rge. 89, for 25 years @ \$25.00. Councilman Gillette seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

- D. David Jamie Davis**-Councilman Gillette moved to approve the request from David Jamie Davis to lease a lot at Bakersfield on Section 16 Twp. 152N, Range 93W. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

10. RESOLUTION FOR NOXIOUS WEEDS:

Councilman Gillette moved to authorize the Noxious Weeds staff to use a combination of aerial and ground spray to prevent the spread of noxious weeds. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

11. BOAT DOCK LEASE:

Jim Mossett request for a boat dock lease is deferred.

12. HANS YOUNG-Road Approach:

Councilman Gillette moved to approve the construction of a road approach for Hans Young Bird. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

13. BUFFALO PROJECT:

A. Bison Purchase Contract USDA

Councilman Gillette moved to approve the Bison Purchase Contract, that allows the project to sell 115 head of buffalo on a sliding scale ranges \$1.50 - \$2.50 a pound @ \$200 a cow to the USDA. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

B. P.O.# 115452-Paul Fredericks to Purchase Feed/Hay-\$22,000.00:

Councilman Gillette moved to approve the purchase of 500 oats bales, and 500 hay bales from Paul Fredericks @ \$22,00 a bale for a total of \$22,000. Councilman Packineau seconded the motions.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

C. P.O.# 115453-Triple T for 1000 Round Bales of Hay for \$20,000.00:

Councilman Gillette moved to approve the purchase of 1000 alfalfa hay bales @ \$20/bale. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

D. P.O.#11547 6-General Marketing Services Proposal LS-87:

Councilman Packineau moved to approve for partial payment of Consultant Fee of \$2,000.00 to John Butze for marketing services Proposal LS-87 for the Bison Project. Councilman Packineau seconded the motion.

VOTE: 2 Ayes, 1 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

E. Buffalo Reduction Plan:

Councilman Gillette moved to direct NRD, Paul Danks and Pete Hale to draft a Buffalo Reduction Plan and present it to the full Council. Councilman Packineau seconded the motion.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

F. Helicopter/Veterinarian Bill for FY/2002 of \$37,4990.00:

Councilman Gillette moved to approve to pay the bill of \$37,490.00 this was for the round up and this is to be taken out of the buffalo sale. Seconded by Councilman Packineau.

VOTE: 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

14. EXTENSION OF TEMPORARY POSITION:

Councilman Gillette moved to renew the appointment of Lori Little Swallow for an additional 90 days, with Ed Fox as her supervisor. Councilman Packineau seconded the motion.

VOTE: 4 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

15. BUFFALO PROJECT/NOXIOUS WEEKDS PROGRAM:

Ted Lone Fight was full-time at the Buffalo Project and moved to Noxious Weeds as temporary. The program can only carry him temporarily until January 1, 2004. Councilman Packineau suggested to add him on the agenda with the Buffalo Project to the full council.

Chairman Phelan directed Paul Danks to research the price of purchasing more West Nile vaccines for horses and to bring it back to the next committee meeting.

16. Eleanor Sorenson: Gift Deed:

Paul Danks and Annette Young Bird will write up a Resolution on this and present it to the full council. Chairman Phelan recommended this to full council.

17. OTHER BUSINESS:

A. Request for Fencing Material: (*Marie Fox*)

Councilman Gillette move to make an exception in this case to provide fencing material to fence out the portion that Marie Fox leases from the tribe for a home site and that the balance be leased by Joe Myrick. Councilman Packineau seconded the motion.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

B. Julia Grinnell Request to Move Road Approach:

Councilman Gillette moved for approval to relocate the road approach for Julia Grinnell's residence for Road Dept. at their earliest convenience. Councilman Packineau seconded the motion.

VOTE: 4 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting. Motion carried.

C. Reschedule Natural Resource Committee Meeting:

Chairman Phelan scheduled the next Natural Resource Meeting has been rescheduled to September 9th at 10:00 a.m.

18. **ADJOURNMENT:**

Councilman Packineau moved to adjourn the meeting at 4:05 p.m.
Councilman Wolf seconded the motion.

VOTE: 4 Ayes, 0 Nays, 0 Abstention, 0 Not Voting. Motion carried.

CERTIFICATION OF MINUTES

The undersigned, as Committee Chairman of the Natural Resources Committee of the Three Affiliated of the Fort Berthold Reservation, hereby certify that the Natural Resources Committee is composed of three (3) members, of whom three (3) constitute a quorum. 3 members were present at a Natural Resources Committee meeting thereof duly called, noticed, convened and held on 9 day of September 9, 2003 whereupon the Three Affiliated Tribes Committee Secretary presented the foregoing minutes for approval.

Said minutes of August 26, 2003 were duly approved by the affirmative vote of 3 members approved, 0 members opposed, 0 members abstaining, 0 members not voting.

Respectfully submitted by: Connie Fox
Connie Fox/Committee Secretary

03/09/04
Date

Concurred by: Randy Phelan
Chairman Phelan, of the Natural Resources
Committee

3-09-04
Date

ATTEST:

Randy Phelan
Randy Phelan, Executive Secretary of the Tribal Business
Council of the Three Affiliated Tribes

3-09-04
Date